

WILMERHALE

February 11, 2019

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Judge Thomas I. Vanaskie
JAMS, Inc.
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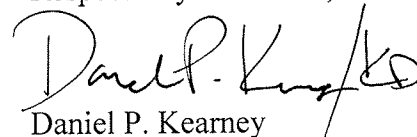
Re: Defendants' Proposed Agenda for February 12 Telephonic Status Conference
CFPB v. Navient Corp. et al., No. 3:17-CV-00101 (M.D. Pa.)

Dear Judge Vanaskie:

Defendants respectfully submit this update and proposed agenda for the next conference.

1. Communications with third parties, as identified by the CFPB.
2. Status of letters to the federal agencies implicated in the assertion of the Bank Examination Privilege.
3. Status regarding Defendants' review of the 915 entries that do not identify the specific litigation at issue.
4. Work product sample: The parties conferred regarding sampling and agreed to a seven percent sample of the approximately 6,600 entries for which the only claim of privilege is the work product doctrine. Defendants will submit a document containing the entries to the Special Master. The parties agreed that the Special Master may use a random number generator to identify the entries to be reviewed.
5. Additional custodians identified by the CFPB.
6. Status of the parties' discussions regarding call recordings: The parties conferred on Friday, during which Defendants provided responses to the CFPB's initial questions. The parties continue to confer.

Respectfully submitted,


Daniel P. Kearney